

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2352

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 29, 1994

Referred to the Committee on Energy and Commerce

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## AN ACT

To amend the Public Health Service Act to reauthorize certain programs relating to the Substance Abuse and Mental Health Services Administration, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FAILURE TO COMPLY WITH MAINTENANCE OF**  
2 **EFFORT PROVISIONS.**

3 (1) MENTAL HEALTH.—Section 1915(b)(3)(A) of the  
4 Public Health Service Act (42 U.S.C. 300x-4(b)(3)(A))  
5 is amended—

6 (1) by striking “material”; and

7 (2) by inserting before the period at the end  
8 thereof the following: “, except that the Secretary  
9 may defer the reduction for a reasonable period of  
10 time, but in no event to exceed 1 year, to afford the  
11 State an opportunity to correct or mitigate the viola-  
12 tion of the agreement that the State made for the  
13 preceding year under paragraph (1), and the Sec-  
14 retary shall recalculate the reduction accordingly”.

15 (b) SUBSTANCE ABUSE.—Section 1930(c)(1) of the  
16 Public Health Service Act (42 U.S.C. 300x-30(c)(1)) is  
17 amended—

18 (1) by striking “material”; and

19 (2) by inserting before the period at the end  
20 thereof the following: “, except that the Secretary  
21 may defer the reduction for a reasonable period of  
22 time, but in no event to exceed 1 year, to afford the  
23 State an opportunity to correct or mitigate the viola-  
24 tion of the agreement that the State made for the  
25 preceding year under subsection (a), and the Sec-  
26 retary shall recalculate the reduction accordingly”.

1 **SEC. 2. BLOCK GRANTS TO STATES REGARDING MENTAL**  
2 **HEALTH AND SUBSTANCE ABUSE.**

3 Section 205(b) of the ADAMHA Reorganization Act  
4 (42 U.S.C. 300x(b) note) is amended—

5 (1) by redesignating paragraph (3) as para-  
6 graph (4); and

7 (2) by inserting after paragraph (2), the follow-  
8 ing new paragraph:

9 “(3) FISCAL YEAR 1995.—With respect to an al-  
10 lotment for fiscal year 1995 under section 1911 or  
11 1921, the Secretary shall, upon the request of the  
12 chief executive officer of a State, make a transfer as  
13 described under paragraph (1) or (2) in the case of  
14 any State for which such an allotment for fiscal year  
15 1995 is—

16 “(A) in the case of an allotment under sec-  
17 tion 1911, at least 20 percent less than the  
18 amount of the allotment for such State under  
19 such section for fiscal year 1994; or

20 “(B) in the case of an allotment under sec-  
21 tion 1921, at least 20 percent less than the  
22 amount of the allotment for such State under  
23 such section for fiscal year 1994.”.

1 **SEC. 3. PREVENTION AND TREATMENT GRANTS.**

2       Section 1924(b)(2) of the Public Health Service Act  
3 (42 U.S.C. 300x-24(b)(2)) is amended by striking “10 or  
4 more” and inserting “15 or more”.

5 **SEC. 4. EFFECTIVE DATE.**

6       This Act shall take effect as if enacted on September  
7 30, 1994.

      Passed the Senate October 7 (legislative day, Sep-  
tember 12), 1994.

Attest:

MARTHA S. POPE,  
*Secretary.*